

Application No.: 10/526,164

Docket No.: SLII-P01-002

appears in Table 3, the Examiner has misidentified the phosphorylated tyrosine residue. As clearly shown in Table 3, it is the second tyrosine residue that is phosphorylated because it is this tyrosine residue that has been aligned with the other sequences depicted in Table 3. The first tyrosine is not phosphorylated. As a result, G is at the -2 position, T is at the -1 position, G is at the +1 position and L is at the +2 position. Such a sequence does not fall within any of the claims of the instant application. Thus, for at least this reason, Dente *et al.* does not anticipate the special technical feature identified by the Examiner and does not break unity of invention. Withdrawal of the Restriction Requirement and recombination of Groups 1-23 is respectfully requested.

With respect to the Markush groups present in the claims, the Examiner has not fully considered paragraph (B)(2), as cited in part 4 of the Office Action. This paragraph states that all alternatives belong to a recognized class of chemical compounds. For the presently-claimed compounds, all are peptides or mimetics or functional derivatives thereof. Applicants also note that the claimed peptides have the common property of treating or preventing a PTP mediated disease (see claim 52). Thus, Applicants believe that the compounds encompassed by the Markush groups are of a similar nature and should be considered together for examination.

Applicants do not understand how part 7 of the Office Action applies to the instant application, because the Examiner has only cited the MPEP and has not applied the cited passage to the pending claims. Clarification is requested.

Please charge any fee due with this response to our Deposit Account No. 18-1945, from which the undersigned is authorized to draw, under Order No. SLII-P01-002.

Dated: January 8, 2008

Respectfully submitted,

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